



THE LYDD CAMP AND LYDD RANGES

BYELAWS 1988

Made by the Secretary of State for Defence, under the provisions of the Military Lands Act 1892, Military Lands Act 1900 and Land Powers (Defence) Act 1958 for regulating the use of the above mentioned site.

STATUTORY INSTRUMENTS

1988

No 1465

DEFENCE**THE LYDD CAMP AND LYDD RANGES
BYELAWS****1988****Made****22nd July 1988****Coming into force****1st October 1988**

The Secretary of State for Defence, in exercise of his powers under Part II of the Military Lands Act 1892(a), section 2 of the Military Lands Act 1900(b), section 7 of the Land Powers (Defence) Act 1958(c) and the consent of the Crown Estate Commissioners on behalf of Her Majesty having first had and obtained for that purpose hereby with the consent of the Secretary of State for Transport and the consent of the Kent County Council so far as regards interference with highways, makes the following byelaws:

AREAS OF LAND AND SEA AFFECTED

1.— (1) The area to which these byelaws apply consists of:

- (a) the lands in the Parish of Lydd in the County of Kent and the Parish of Camber in the County of East Sussex known as Lydd Camp and Lydd Ranges (in these byelaws referred to as the “Land Area”), which are set out in the schedule attached hereto;
- (b) the area of sea, tidal water and shore the limits of which are set out in the Schedule attached hereto (in these byelaws referred to as the “Sea Area”).

(2) The boundaries and the limits of the Land and Sea Areas are shown edged by a thick black line on the plan hereto annexed and identified as “Plan of Lydd Camp and Lydd Ranges”.

USE OF LAND AND SEA AREAS

2. The Land and Sea Areas may be used for military firing of all descriptions and for all activities ancillary to such firing. The firing

creates a danger area which is wholly contained within the Land and Sea Areas.

PROHIBITION OF ACCESS

3.—(1) When the Land and Sea Areas are being used for any of the military purposes specified in byelaw 2, and subject to para (3) below, no person without authority (as defined in byelaw 8) shall:

- (a) enter or be in the Land or Sea Areas;
- (b) cause or permit any vehicle, animal, vessel or thing to enter, pass through or over or remain in the Land or Sea Areas;
- (c) cause or permit any aircraft to fly over the Land or Sea Areas at a height less than 3200 feet (975 metres) above mean sea level.

(2) Whilst the Land and Sea Areas are being used for any of the said military purposes, notice thereof shall be given by the display of a red flag by day and a red light by night at:

- (a) Jury's Gap at the side of Jury's Gap Lookout Post;
 - (b) Camber Road by Gate G near to the Observer Post;
 - (c) Main Gate Lydd Camp and Lydd Ranges on the northern edge of the Camp, south of Lydd Town;
 - (d) Galloways Road to the east of Gate 1;
 - (e) Galloways at the side of Galloways Lookout Post;
 - (f) on the Range Control Tower 400 metres south west of Lydd Camp;
 - (g) Lydd Ranges Office on the southern edge of Lydd Camp on the access road to the Ranges;
- and when firing affects Denge Marsh eastern extended sea area;
- (h) the Denge Marsh Lookout Post at the southern end of Denge Marsh Road;
 - (i) 500 metres south east of Denge Marsh Farm cross-roads.

(3) When the Land Area is not being used for any of the military purposes specified in byelaw 2, ie, when no red flags or lights are displayed, access by members of the public will be restricted by notices to marked public rights of way or Ministry of Defence foot-paths (referred to hereafter as "route") or to the foreshore below the line of Mean High Water, unless they are in possession of written authority issued by the Commandant of the Cinque Ports Training Area authorising access through the Lydd Camp and Lydd Ranges, to the foreshore or other specified area.

(4) When the Sea Area is not being used for any of the military purposes specified in byelaw 2, ie when no red flags or lights are displayed, there is no restriction on access for any legitimate purpose.

PROHIBITED ACTIVITIES

4. Without prejudice to the provisions of byelaw 3, no person when permitted to enter the Land Area in accordance with these byelaws as described in byelaw 3(3) above, shall:

- (a) ride a horse, bicycle or tricycle or ride drive or propel a vehicle of any kind otherwise than on a carriageway, road or route suitably constructed and made up for general use by vehicular traffic or on a right of way dedicated for such use;
- (b) (i) engage in or carry on any trade or business of any description, or
(ii) ride, drive, conduct, use or employ, or cause to be ridden, driven, conducted, used or employed any animal or vehicle of any kind, or
(iii) make or cause to be made any musical or other noise either wholly or mainly for the purpose of trade or advertisement;
- (c) loiter, or commit any nuisance, or behave in any indecent or unseemly manner;
- (d) take part in, attend or organise any meeting or procession;
- (e) camp (whether in tents, caravans or otherwise), bivouac or sleep out;
- (f) deposit industrial or domestic refuse, rubble, waste or litter or abandon any vehicle or vehicle part or article;
- (g) damage, cut or remove grass, turf or growing crops, shrubs, trees, timber or wild flower roots;
- (h) graze any animal except by licence;
- (i) pursue, kill, shoot, snare or trap game or other birds or animals, or take or destroy their eggs;
- (j) damage, spoil, interfere with or remove any building, wall, fence, gate, post, cattle grid, stores, equipment or ammunition, or articles, machines or appliances belonging to or under the care or control of the Crown, or of the Service Authorities of a visiting force, or in either case their agents or contractors;
- (k) dig or search for any projectile or any lead or other metal, or interfere with or take or retain or be in possession of any projectile or lead or other metal found;

- (l) do, or cause or allow to be done, any act which is likely to cause nuisance, annoyance or injury to other persons;
- (m) deposit or distribute or cause to be deposited or distributed any handbills, leaflets or other literature or printed matter of any description;
- (n) affix posters, notices or bills of any description in or on the boundaries, wall or fences of the Land Area or in or on any buildings or other structures or on any tree, pillar, post, bollard, railing, gate or other erection in the Land Area;
- (o) light fires, drop or leave lighted or live matches or burning cigarette ends or do any act or thing liable to cause an outbreak of fire;
- (p) take or cause to be taken into the Land Area any form of offensive weapon;
- (q) attempt to photograph any part of the Land Area or Military property and equipment or training activity;
- (r) fail to keep under control any dog or other animal.

5.—(1) No person shall:

- (a) ride a bicycle, tricycle, motorcycle or drive a vehicle of any kind elsewhere than on a road;
- (b) use any vehicle of any kind to ply for hire or other commercial purpose on any such road;
- (c) drive, attempt to drive or be in charge of any bicycle, tricycle or motor vehicle on any such road when unfit through drink or drugs;
- (d) drive a vehicle on any such road in a manner likely to be a danger to any other person or property;
- (e) drive, attempt to drive or be in charge of any bicycle, tricycle, motor cycle or motor vehicle on any road or part of the Land Area for sport or trial purposes;
- (f) ride a bicycle or tricycle or drive a vehicle of any kind upon such a road during the hours of darkness as prescribed by the enactments relating to the lighting or road transport unless such a bicycle or tricycle or vehicle carries the appropriate lights which are required to be carried by such a bicycle or tricycle or vehicle when on a public highway during the hours of darkness.

(2) Every person who rides a bicycle or tricycle or drives a vehicle of any kind on any such road shall:

- (a) comply with the directions, given orally or by signal, of a person acting under the authority accorded by byelaw 7;
- (b) comply with all military and traffic signs,

- (c) ride or drive with due care and attention and with reasonable care for other persons.

DIRECTION TO LEAVE AND TO REMOVE PROPERTY

- 6.—(1) (a) No person shall remain on any part of the Land or Sea Areas having been directed to leave by an authorised person.
- (b) No person being the owner or for the time being in charge of any animal, vehicle, aircraft or thing on the Land or Sea Areas, shall permit the same in either area having been directed to remove the same by an authorised person.
- (2) *Exclusion from the Land or Sea Areas*
- (a) If the Secretary of State for Defence or a member of the Ministry of Defence Police gives a person a direction prohibiting that person from entering the Land or Sea Areas, that person shall not enter the Land or Sea Areas whilst the direction is in force.
- (b) Such a direction shall continue in force in relation to the person to whom it has been given until:
- (1) The expiration of 12 months beginning with the day on which the direction is given, or
 - (2) The Secretary of State for Defence or a member of the Ministry of Defence Police notifies that person in writing that it has been revoked, whichever is the earlier.

ENFORCEMENT

7. The following persons are authorised to remove from the Land and Sea Areas and to take into custody without warrant any person committing an offence against byelaws 3, 4, 5 and 6 and to remove from the Land or Sea Areas any vehicle, animal, vessel or thing found contravening any of the said byelaws:

- (1) the General Officer Commanding the Army District;
- (2) the Commandant of the Cinque Ports Training Area;
- (3) the officer in charge of Lydd Camp and Lydd Ranges;
- (4) any officer, warrant officer, or non-commissioned officer or rating of corresponding rank, being for the time being under the command of the said Commander or the said Commandant or the officer in charge of Lydd Camp and Lydd Ranges;

(5) any public officer, being a Crown servant, authorised in writing by or on behalf of the said Commander or the said Commandant or the officer in charge of Lydd Camp and Lydd Ranges;

(6) any constable.

EXEMPTIONS

8.—(1) Nothing in these byelaws shall affect the lawful exercise by any person of:

- (a) Public rights except when the Land and Sea Area is temporarily closed to the public by way of byelaws 2 and 3;
- (b) Private rights as are referred to in Section 15 of the Military Lands Act 1892;
- (c) A person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State for Defence, the General Officer commanding the Army District, Commandant of the Cinque Ports Training Area or the officer in charge of Lydd Camp and Lydd Ranges.

(2) It shall not be an offence against these byelaws if it is proved that an act or omission was unavoidable by the exercise of reasonable care.

(3) These byelaws shall not in so far as they relate to the Sea Area apply to:

- (a) any vessel for the time being engaged in giving assistance to persons or to any other vessel at sea in an emergency;
- (b) any vessel belonging to the Corporation of Trinity House whilst employed on any Trinity House duty or service;
- (c) any vessel engaged by the Department of Transport's Marine Pollution Control Unit in spraying operations as a result of an oil pollution emergency;
- (d) any aircraft engaged by the Department of Transport's Marine Pollution Control Unit in spraying operations as a result of an oil pollution emergency;
- (e) any vessel passing through the Sea Area in the ordinary course of navigation and taking no longer than is reasonable for that purpose, but see Explanatory Note 1.

(4) To assist local fishermen the Commandant of the Cinque Ports Training Area shall hold Liaison Meetings twice a year or more frequently if required with representatives of Fishermen's Organisations. Explanatory Note 2 prescribes further facilities which shall apply.

OFFENCES

9. Subject to the provisions of byelaw 8:

- (a) any person who contravenes or fails to comply with the provisions of byelaws 3, 4, 5 or 6;
- (b) any master of a vessel who fails to take all reasonable measures to ensure that any of its passengers or crew complies with the provisions of these byelaws

shall be guilty of an offence.

INTERPRETATION

10. In these byelaws the expression:

“projectile” means any shot or shell or other missile or any portion thereof;

“master” means the person having command or charge of a vessel for the time being;

“vessel” means every description of water craft, including non-displacement craft and seaplane (while on the water), used or capable of being used as a means of transportation on water;

“aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne.

“visiting force” means such body, contingent or detachment of the force or country as is a visiting force for the purpose of any of the provisions of the Visiting Forces Act 1952. (a)

“offensive weapon” means any article made or adapted for use for;

- (a) causing injury to or incapacitating a person, or
- (b) causing injury to or incapacitating or trapping an animal or bird; or intended by the person having it with him for such use or for threatening such uses.

“photographic equipment” includes:

- (a) any device for making any video recording;
- (b) any undeveloped film or plate (whether exposed or not);
- (c) any tape, disc or other article on which images can be recorded by electronic means (whether images have been recorded or not).

COMMENCEMENT, CITATION AND REVOCATION

11.—(1) These byelaws shall come into force on 1st day of October 1988 and may be cited as the “Lydd Camp and Lydd Ranges Byelaws 1988”.

(2) The byelaws in respect of Lydd Ranges dated 15 June 1939(a) are hereby revoked.

Dated 20 January 1988

(Signed) Roger Freeman

The Secretary of State for Transport hereby consents to the making of these byelaws.

Dated 4 March 1988

(Signed) J. R. Fells
An Assistant Secretary
Department of Transport

The consent of the Kent County Council to the making of these byelaws, so far as regards the restriction of the use of the highways within the Danger Area mentioned therein, was given by a resolution dated the 22nd day of July 1988.

(Signed) G. W. Swift
Chief Solicitor

EXPLANATORY NOTES

VESSELS IN TRANSIT NEAR SEA AREA

1. With regard to byelaw 8(3)(e) Masters of vessels of all kinds are requested to pass South of the Stephenson Shoal whenever possible to avoid disrupting military firing.

FACILITIES TO FISHERMEN

2.—(1) There is no restriction on fishing in the Sea Area when it is not being used under the provisions of byelaw 2.

(2) The Secretary of State for Defence has given an assurance that subject to no exceptional operational training requirement arising the Eastern Extension of the Sea Area will not be activated on 6 week days in each calendar month.

(3) The officer in charge of Lydd Camp and Lydd Ranges will afford to local fishermen in pursuit of their occupation every facility consistent with the conduct of firing on the Ranges in safety and without impediment, in accordance with procedures established in periodic Liaison Meetings; for example on occasions when firing is cancelled or closed earlier than the published firing times fishermen will be notified by the Range Control Operator by broadcasting on Channel 6 to "Fishing Boats Rye Bay" so that fishermen can take advantage of fishing off the Ranges if they wish.

PENALTY FOR OFFENCES

3. By section 17(2) of the Military Lands Act 1892, as amended by section 39 of and Schedule 3 to the Criminal Justice Act 1982 (c.48), it is provided:

"If any person commits an offence against any byelaw under this Act, he shall be liable, on conviction before a court of summary jurisdiction, to a fine not exceeding level 2 on the standard scale and may be removed by any constable or officer authorised in manner provided by the byelaw from the area, whether land or water, to which the byelaw applies, and taken into custody without warrant, and brought before a court of summary jurisdiction, to be dealt with according to law, and any vehicle, animal, vessel, or thing found in the area in contravention of any byelaw, may be removed by any constable or such officer as aforesaid, and on due proof of such contravention, be declared by a court of summary jurisdiction to be forfeited to Her Majesty."

At the time of printing the maximum fine on scale 2 is ONE HUNDRED POUNDS (£100).

PRIVATE RIGHTS

4. By section 15 of the Military Lands Act 1892, it is provided:

"Where a Secretary of State has for the time being the right of using for any military purpose any land vested in another person this part of this Act shall apply in the manner as if the land were vested in the Secretary of State and the same were appropriated for the said purpose, save that nothing therein or in any byelaws made thereunder shall injuriously affect the private rights of any person further or otherwise than is authorised by the grant of the right to use the land."

INSPECTION OF BYELAWS AND PLAN

5. A copy of these byelaws and a plan showing the Land and Sea Areas may be obtained by postal application to the Ministry of

Defence PL(Lands) Safeguarding and Byelaws, Government Buildings Leatherhead Road, Chessington, Surrey KT9 2LU or HQ Cinque Ports Training Area, Hythe Ranges, Dymchurch Road, Hythe, Kent CT21 6LS.

RECOVERY OF PROJECTILES

6. Any person who finds a projectile within the Land Area, or within that part of the Sea Area which is for the time being uncovered by the tide, must not disturb it but should report the finding of it to the officer in charge of Lydd Camp and Lydd Ranges or to the police or to HM Coastguard at the first opportunity. Any person who, when trawling or dredging in the Sea Area, comes into possession of a projectile found within the Sea Area must not retain it but should immediately and without tampering with it return it in its then condition into the water and, having suitably marked its position, report to the officer in charge of Lydd Camp and Lydd Ranges or to the police or to HM Coastguard the position where the projectile was returned into the water.

PUBLIC NOTIFICATION OF FIRING

7. Public notification that firing will take place will be given by sending notices, normally not less than seven clear days before the day or night of firing, giving the intended date, time and duration of firing, to such authorities or persons requiring such information. In addition, it will detail the part of parts of the Sea Area affected. Any authority or person with a need who does not already receive a notice may apply to HQ Cinque Ports Training Area, Hythe Ranges, Dymchurch Road, Hythe, Kent CT21 6LS.

WARNING TO VESSELS IN SEA AREA

8. If any vessel is within the Sea Area when it is being used for the military purposes specified in byelaw 2 an additional red flag by day and an additional red light by night may be hoisted below the flags and lights described in byelaw 3(2)(a), (e) or (h) in order to notify the master of the vessel that his vessel is within the Sea Area.

THE SCHEDULE

PART II

The limits of the Land Area are as follows:

On the West

Commencing at a point at Mean High Water of Ordinary Tides

adjacent to the Jury's Gap Lookout Post at grid reference TQ 99301795 thence NORTHWARDS for a distance of 270 metres along the line of a fence to a point on the Camber-Lydd road; thence

On the North

From the last mentioned point along a continuation of the said fence for a distance of 750 metres in a general NORTH-EASTERLY direction to a point at the junction of the access road to Midrips Cottages and the Camber-Lydd road, thence along the line of the said fence for a distance of 575 metres to a point in the fence near Ministry of Defence Boundary Stone No. 41, thence along the said fence for a distance of 2985 metres in a general NORTH-EASTERLY direction to a point near Running Water Gate near Ministry of Defence Boundary Stone No. 27A, thence in a general NORTH-EASTERLY direction along the said fence for a distance of 930 metres to a point 140 metres west of the Main Gate to Lydd Camp and Lydd Ranges, thence EASTERLY for a distance of 620 metres along the said fence verging Tourney Road to the junction with the Lydd-Galloways road; thence

On the East

From the last mentioned point along a continuation of the said fence for a distance of 1481 metres in a general SOUTHERLY direction to a point at the junction of the road to Brickwall Farm, thence for a distance of 174 metres in a SOUTH-WESTERLY direction along the said fence, thence SOUTH for 91 metres to Ministry of Defence Boundary Stone No. 9 following the ditch SOUTH and SOUTH-EAST for a distance of 283 metres to the southern extremity of this enclosure thence in a straight line NORTH-EAST for a distance of 46 metres along the ditch at this point, thence in a straight line for a distance of 411 metres in an EAST-SOUTH-EASTERLY direction to a point on the roadway 439 metres WEST-BY-NORTH of the westernmost building of Brickwall Farm, thence for a distance of 274 metres along the southern side of this roadway, in an EASTERLY direction, turning SOUTH-EAST for 137 metres along the line of a ditch following this ditch for 37 metres SOUTH-WEST, thence 155 metres SOUTH-EAST joining the roadway near a footbridge, thence along the southern side of this roadway for 256 metres in an EASTERLY direction to its junction with the Lydd-Denge Marsh road 101 metres south-east of Piper's Pen, thence along the line of a fence on the southern side of the Lydd-Denge Marsh road for a distance of 558 metres, thence SOUTH-WESTERLY for 170 metres, thence SOUTH-EASTERLY for 320 metres, thence NORTH-EASTERLY for 200 metres to a point on the said Lydd-Denge Marsh road, thence in a general SOUTH-EASTERLY direction along the line of the said fence and road for 1200 metres to a point at Mean High

Water SOUTH-EAST of the former Denge Marsh Coastguard Station at grid refernece TR 06541665; thence

On the South

From the last mentioned point for a distance of 7370 metres in a WEST-NORTH-WESTERLY direction along the line of Mean High Water to the point of commencement.

PART II

There are three complementary sections to the Sea Area, the limits of which are as follows:

MAIN AREA (Activated when firing is programmed)—“SEA AREA” on the Plan.

On the West

Commencing at a point at Mean High Water of Ordinary Tides adjacent to the Jury's Gap Lookout Post at grid reference TQ 99301795 (“A” on the Plan) by a line on a true bearing of 229° for a distance of 1.74 nautical miles to a point in Latitude 50°54.36' North, Longitude 0°48.03' East (“W” on the Plan); thence

On the South

From the last mentioned point by a line on a true bearing of 113° for a distance of 2.50 nautical miles to a point in Latitude 50°53.38' North, Longitude 0°51.35' East (“X” on the Plan), thence by a line on a true bearing of 95° for a distance of 2.35 nautical miles to a point in Latitude 50°53.09' North, Longitude 0°55.35' East (“Y” on the Plan); thence

On the East

From the last mentioned point by a line on a true bearing of 340° for a distance of 1.94 nautical miles to a point at Mean High Water of Ordinary Tides adjacent to the Galloways Lookout Post at grid reference TR 04171702 (“B” on the Plan).

On the North

From the last mentioned point along the line of Mean High Water or Ordinary Tides in a WEST-NORTH-WESTERLY direction to the point of commencement.

SOUTHERN EXTENSION (Activated only when necessary)—marked on the plan accordingly.

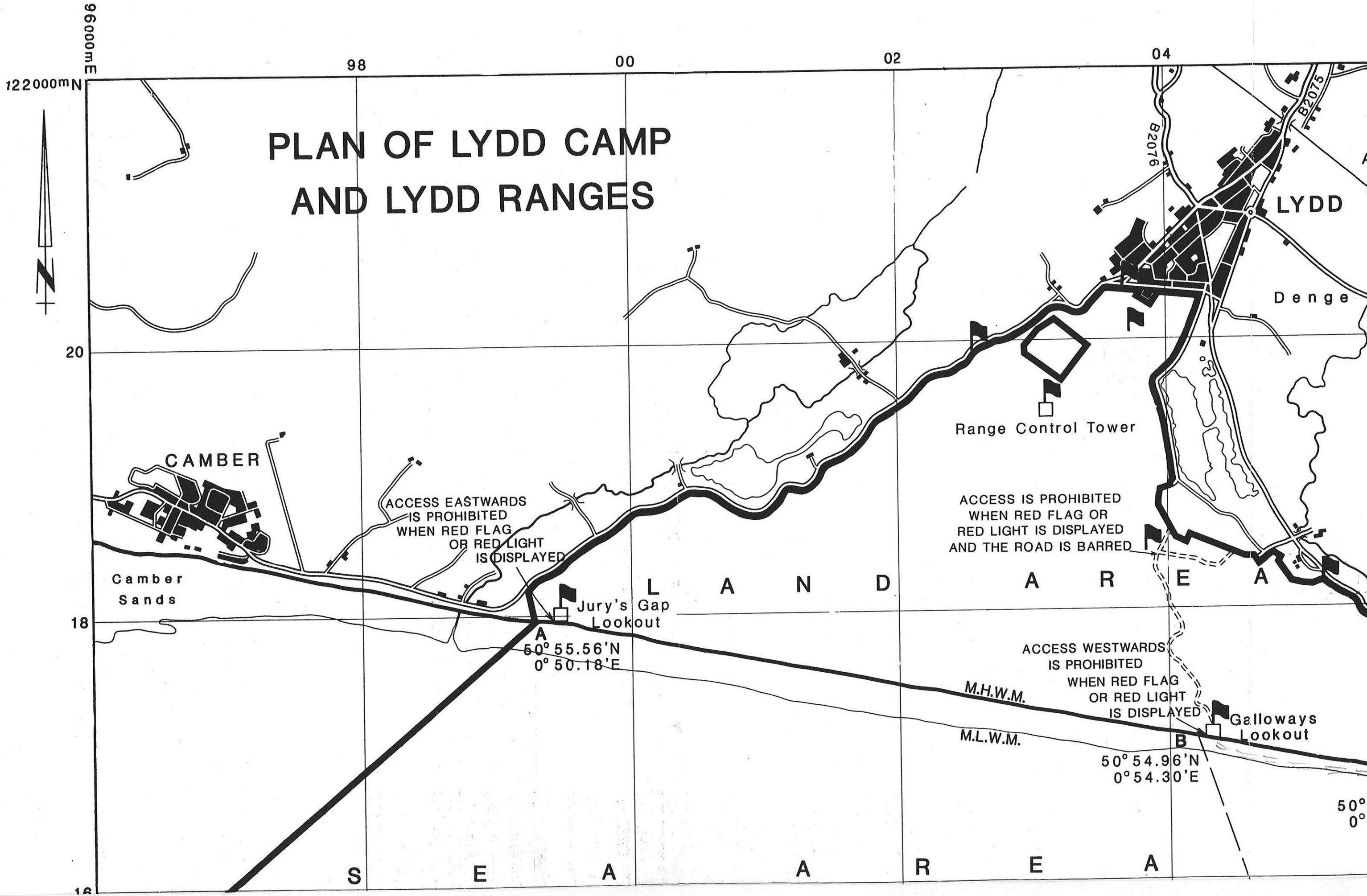
In the West, from the westerly point of the Main Area in Latitude 50°54.36' North, Longitude 0°48.03' East (“W” on the Plan), thence

On the South by an arc of a circle with its centre in Latitude $50^{\circ}55.92'$ North, Longitude $0^{\circ}52.65'$ East on a radius of 3.30 nautical miles to the easterly point of the Main Area in Latitude $50^{\circ}33.09'$ East ("Y" on the Plan), in the *East*

EASTERN EXTENSION (activated only when necessary)—marked on the plan accordingly.

In the West, from the easterly point of the Main Area in Latitude $50^{\circ}33.09'$ North, Longitude $0^{\circ}55.35'$ East ("Y" on the Plan), thence

On the South by a line on a true bearing of 58° for a distance of 0.79 nautical miles to a point in Latitude $50^{\circ}53.43'$ North, Longitude $0^{\circ}56.32'$ East ("Z" on the Plan), *in the East*, thence by a line on a true bearing of 345° for a distance of 1.3 nautical miles to a point on the High Water Mark 500 metres ~~metres~~ WEST of the former Denge Marsh Coastguard Station at grid reference TR 06051670 ("C" on the Plan), *in the North*.



E A A R E A

0° 55.88' E

Lookout

16

(ACTIVATED WHENEVER FIRING PROGRAMMED)

EASTERN
EXTENSION
(ONLY ACTIVATED
WHEN NECESSARY)

LYDD CAMP
LYDD RANGES

(ONLY
SOUTHERN
ACTIVATED

50° 53.38' N
0° 51.69' E

X

EXTENSION
WHEN
NECESSARY)

Y
50° 53.09' N
0° 55.35' E

Z
50° 53.43' N
0° 56.32' E

14



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02

04

06

112 000 m N

608000m E

S E A A R E A

16

W

50° 54.36' N
0° 48.03' E

(ACTIVATED WHENEVER FIRING PROGRAMMED)

LYDD CAMP
LYDD FLANGES




(ONLY
SOUTHERN
ACTIVATED

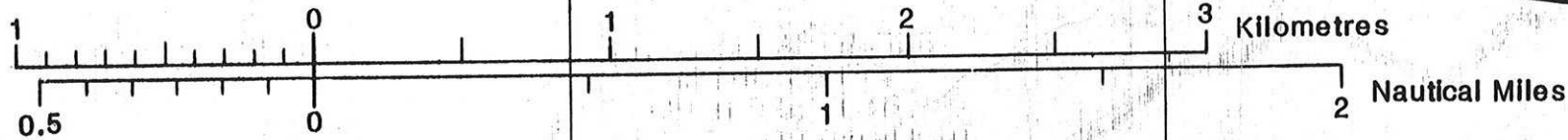
50° 53.38' N
0° 51.69' E

X

EXTENSION
WHEN
NECESSARY)

14

- DANGER AREA..... 
- LOOKOUT TOWER..... 
- APPROX. POSITION
OF RED FLAGS/
RED LIGHTS..... 



112000mN

596000mE

98

00

02

04

Notwithstanding any fine limit mentioned in the above byelaws the current maximum fine as at 01/09/2008 is the sum of £500 being the maximum on level 2 of the standard scale.